IN THE

Supreme Court of the United States

OCTOBER TERM, 1961

No. 350

FIAT MOTOR COMPANY, INC., *Petitioner*

v.

ALABAMA IMPORTED CARS, INC., *Respondent*

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

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2. If the Court of Appeals rejected Petitioner's objection to venue because of the general federal corporate venue provision, 28 U.S.C. § 1391(c), its decision conflicts with an applicable decision of this Court and raises important questions concerning venue requirements in actions under the antitrust laws 17

3. In holding that Petitioner was amenable to service of process under the standard of "fair play and substantial justice" set forth in *International Shoe Co.* v. *Washington*, and subsequently elaborated by this Court, the Court of Appeals misconstrued and misapplied that standard. Its decision conflicts with a decision on the same matter in another Court of Appeals, and raises an important question concerning the personal jurisdiction of the federal district courts which has not been, but should be, decided by this Court 20

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4. The Court of Appeals' alternative holding that Petitioner was amenable to service of process under local law was necessarily predicated on an interpretation of Fed. R. Civ. P. 4(d)(7) which conflicts with decisions in other circuits and raises an important question concerning the meaning of that Rule which has not been, but should be, settled by this Court 25

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PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

Petitioner prays that a writ of certiorari issue to review the judgment of the United States Court of Appeals for the District of Columbia Circuit, entered in the above-entitled case on May 25, 1961.

OPINIONS BELOW

The District Court rendered no opinion. The Opinion of the Court of Appeals (R. 59; Appendix A, p. 1a *infra*) is not yet reported.

JURISDICTION

The Opinion of the Court of Appeals was filed on May 25, 1961. The jurisdiction of this Court is invoked under 28 U.S.C., § 1254(1).